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Counsel for Reorganized Debtors

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:) CASE NO. BK-09-14814-LBR
) (Jointly Administered)
 THE RHODES COMPANIES, LLC, aka)
 "Rhodes Homes," et al.,) Chapter 11
)
 Reorganized Debtors. ¹)

Affects:)
)
☒ All Debtors)
☐ The Following Debtor(s):)
)

¹ The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Realty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country Club, LLC (7132); Pinnacle Grading, LLC (4838).

**AFFIDAVIT OF NILE LEATHAM IN SUPPORT OF MOTION FOR ORDER
SHORTENING TIME TO HEAR MOTION OF THE REORGANIZED DEBTORS
FOR ENTRY OF AN ORDER APPROVING THE SETTLEMENT AGREEMENT
BETWEEN RHODES HOMES ARIZONA, LLC AND STANLEY CONSULTANTS,
INC.**

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

NILE LEATHAM, ESQ., being first duly sworn, deposes and says as follows:

1. That I am an attorney licensed to practice law in the State of Nevada and all State and Federal Courts in said state.

2. That I am an attorney with Kolesar & Leatham, counsel for Reorganized Debtors in the above-captioned case. Pursuant to operation of the plan of reorganization (the Plan”) confirmed in the above-captioned cases, the Reorganized Debtors may retain and pay professionals post-confirmation, and Kolesar & Leatham is post-confirmation local counsel for the Reorganized Debtors.

3. That after extensive, arm’s-length negotiations between the Reorganized Debtors (on behalf of themselves and the Second Lien Agent) and Stanley Consultants, Inc., the parties have determined to enter into a Settlement Agreement, a copy of which is attached to the proposed order for the Motion for Entry of an Order Approving Settlement Agreement Between Rhodes Homes Arizona, LLC and Stanley Consultants (“Settlement Motion”) as Exhibit 1, in order to fully and finally resolve the Litigation and all related claims, disputes and causes of action.

4. That the Reorganized Debtors desire and seek approval of the Settlement Agreement as soon as possible to avoid unnecessary delay in making distributions to holders of second lien lender secured claims.

5. That this Court has scheduled hearings on objections to claims for June 24, 2011, at 1:30 p.m.


6. That Reorganized Debtors seek a hearing to approve the Settlement Agreement on June 24, 2011, at 1:30 p.m.

///

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Further Affiant sayeth naught.

SUBSCRIBED and SWORN to before
me this 16th day of June, 2011.

 **NOTARY PUBLIC**
KENNETH A. BURNS
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. SEP. 4, 2014
No: 94-2013-1